



TEXAS GENERAL LAND OFFICE

DISASTER RECOVERY PROGRAM

**Homeowner Opportunity Program (HOP)
Texas Title Homeowner Opportunity Program Project
Standard Operating Procedures**

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HOP Title Clearance Program – STANDARD OPERATING PROCEDURE

1.0 Overview

The Housing Opportunity Program (HOP) should utilize this Standard Operating Procedure to refer a HOP applicant to the Texas Title Homeowner Opportunity Program Project (Texas Title Project). The subrecipient orders a title commitment¹ for each HOP applicant's storm-impacted property from the procured title company. The title company sends the title commitment to the University of Texas School of Law (UT). UT reviews the title commitment to determine if the title for applicant's storm-impacted property is clean. UT notifies the subrecipient and the mobility counselor (MC) about the results of the title review. If the applicant's title is clean, the applicant may proceed in the HOP process. If the applicant's title is clouded, UT works with the applicant to clear the title. Costs associated with the title clearance will be paid out of the subrecipient's "services" category described in the Round 2 Housing Guidelines. The applicant cannot proceed in HOP relocation until the title issues have been cleared.

2.0 Roles and Responsibilities

2.1 The Subrecipient (or their Designee's) Program Specialist is responsible for:

- Scheduling program options counseling with applicant and MC
- Ordering the title commitment for each HOP applicant's storm-impacted property from the title company
- Sending the applicant's name and contact information to UT
- Renewing the applicant's title commitment every 90 days, as needed
- Ordering an updated title commitment after receiving notification from UT that the applicant's title issues have been cleared
- Tracking the number of applicant's participating in the Texas Title Project and setting aside project funds
- Notifying the MC that the applicant may proceed in HOP

2.2 The Mobility Counselor is Responsible for:

- Providing program options counseling to the applicant
- Providing ongoing counseling to the applicant
- Informing the applicant of their status and assisting the applicant on an as needed basis

2.3 The University of Texas School of Law Staff is Responsible for:

- Reviewing the applicant's title commitment
- Notifying the subrecipient and MC about whether the applicant's title is clear or clouded

- Working with the applicant to clear the title issues
- Providing regular reports, as detailed in Section 4 below, to the subrecipient and the MC on the status of the applicant's title clearance process

3.0 Texas Title Homeowner Opportunity Program Project Process

- 3.1 The subrecipient orders a title commitment for each HOP applicant's storm-impacted property from the procured title company.
- 3.2 The title company sends the complete title commitment package to UT at the following email address: FMartinez@law.utexas.edu. The title commitment must include the abstract title, the title policy, and research/supporting documentation.
- 3.3 UT reviews the title commitment to determine if the applicant's title is clouded.
- 3.4 UT notifies the subrecipient and MC via email regarding the results of the review of the title commitment.
- 3.5 If the applicant's title is clean, the subrecipient notifies the MC via email that the applicant may proceed in the HOP process.
- 3.6 If UT determines the title is clouded, the subrecipient may provide additional contact information to UT via email. Subrecipient records that the one year deadline to clear the applicant's title has started.
- 3.7 The applicant does not proceed any further in the HOP process until the title issues have been cleared. The applicant may continue to receive ongoing counseling from the mobility counselor while the title issues are being resolved. However, the applicant may also choose to elect to opt out of HOP and select to participate in the Homeowner Assistance Program to build in place.
- 3.8 UT works with the applicant to clear the title. UT communicates with the applicant regarding the title clearance issues. The MC may assist the applicant on an as-needed basis.
- 3.9 Typical costs associated with the title clearing process are recording fees, notice by publication, court costs, interpreters and translators (in court), and title insuranceⁱⁱ. These costs will be paid out of the subrecipient's services category described in the Round 2 Housing Guidelines, Housing Assistance Caps, on page 12 and Attachment B, Amount of Assistance, on page 48.
- 3.10 The subrecipient may be required to renew the title commitment, as it expires, until the title issues have been resolved.

- 3.11 UT clears the applicant's title and provides the related documents to the applicant, and UT notifies the subrecipient and MC via email that the applicant's title is clean.
- 3.12 The subrecipient orders the updated title commitment for the applicant's storm-impacted property and the applicant is eligible to continue in the HOP.
- 3.13 If the applicant's title is not cleared within one year from the start of the Texas Title Program process, the applicant may have the option to participate in the Homeowner Assistance Program to build in place.

4.0 Reporting

- 4.1 UT provides monthly reports regarding the number of clients being served to the subrecipient.
- 4.2 UT convenes quarterly telephone calls with subrecipients and MCs.
- 4.3 UT provides quarterly status reports to the subrecipient and MCs for any ongoing cases.
- 4.4 All reporting by UT will conform to the Texas Rules of Disciplinary Procedure governing the attorney-client relationship in Texas. (Tex. R. Disciplinary P., reprinted in Tex. Govt Code Ann., tit. 2, subtit. G app. (Vernon Supp. 1995))

ⁱ The commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The commitment is a legal document. Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the title insurance Company (the Company) determines whether the title is insurable. See Texas Department of Insurance - <http://www.tdi.texas.gov/title/titlem2a.html>

ⁱⁱ The Texas Title Insurance Rates are set by the Texas Department of Insurance <http://www.tdi.texas.gov/title/titlerates2013.html>